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*THE OPINIONS OF CHIEF OFFICIALS,
MEMBERS OF THE VOLKSRAAD
AND OTHERS.*

Translated into English by J. P. F. Juritz, Esq.,

FROM THE DUTCH

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PUBLISHED BY THE LIQUOR COMMISSION OF THE POTCHEF-
STROOM PRESBYTERY OF THE DUTCH REFORMED CHURCH,
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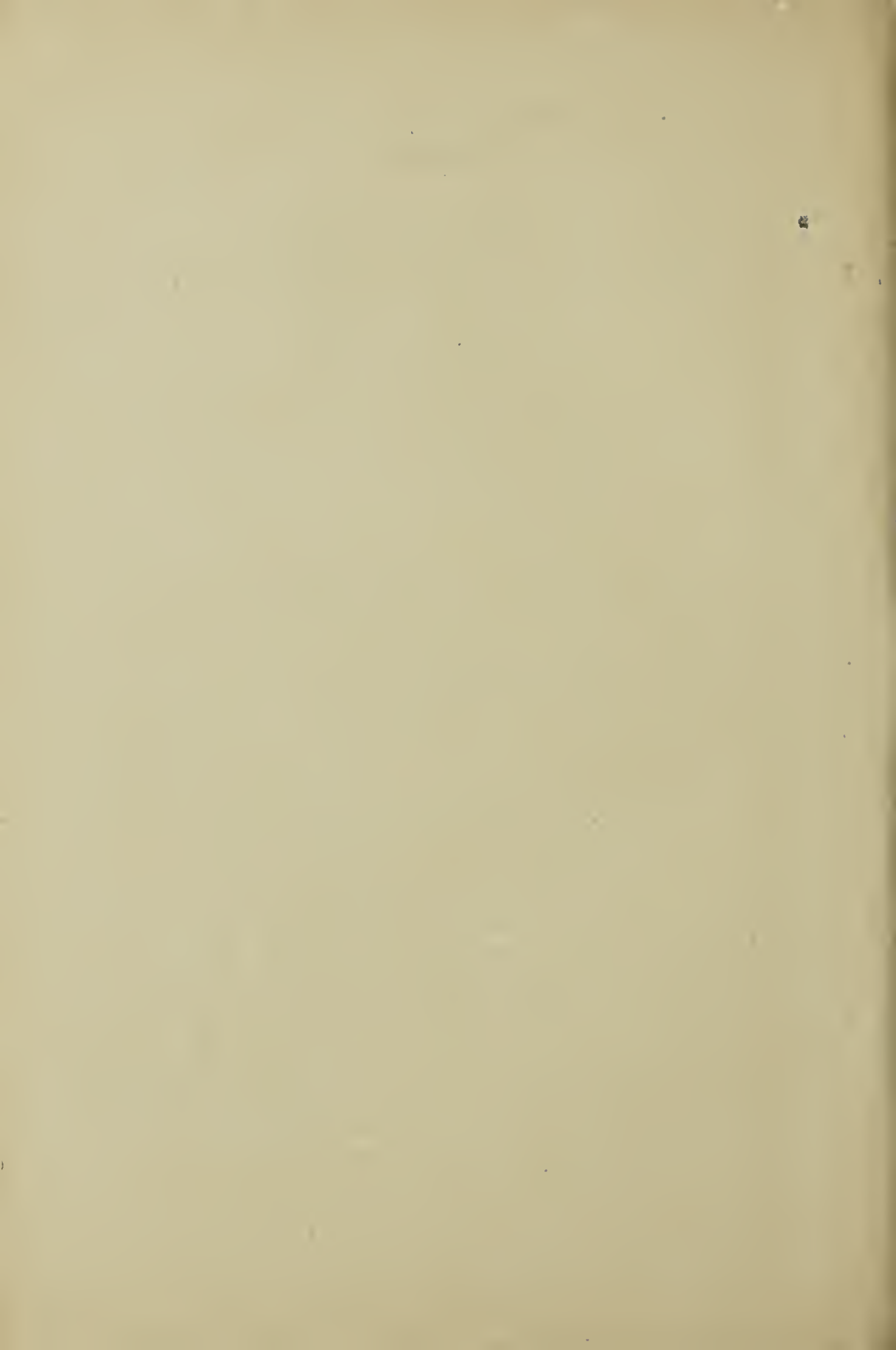
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Is the Orange Free State Liquor Law a Success ?

THE OPINIONS OF CHIEF OFFICIALS, VOLKSRAAD
MEMBERS, AND OTHERS.

*Published by the Liquor Commission of the Potchefstroom
Presbytery of the Dutch Reformed Church, S.A.R.*

PREFACE.

As active endeavours are being made to render ineffectual the wise and necessary regulations of the Liquor Law passed last year by our Government, or to have them abrogated, and as the coming in force of that part of the Law having reference to roadside canteens has by resolution of the Volksraad been postponed to the 1st July, 1897, in order to obtain the people's vote thereupon at the next session in May, a fellow worker has obtained the opinions of the leading men in our sister State with reference to the working and results of a similar Law, which has been in operation there since 1883. These views and experiences of men who by reason of the positions they occupy are highly esteemed, and who have had the opportunity of forming a correct judgment, we now lay before our fellow countrymen, hoping that every doubt or fear with reference to so excellent a law will thereby be removed, and that the hands of those who plead for this noble cause in the meetings of the Volksraad may be strengthened. The replies received were too extensive to be published in their entirety ; we therefore content ourselves with giving some extracts. The originals, duly signed, are in our possession. May the Lord of Righteousness bless even this effort, and crown the good cause with success.

P. G. J. MEIRING,
Chairman of the Liquor Commission
of the Potchefstroom Presbytery.

Johannesburg, 26th March, 1897.

QUESTIONS AND ANSWERS.

The following questions were put by circular to some of the most prominent burghers and citizens of the Orange Free State:—

1. What has been the result of the abolition of the roadside canteens?

2. Is the prohibition of the sale of liquor to coloured persons a success?

3. What influence has this prohibition had on the labour question?

4. Has the abolition of roadside canteens and the prohibition of the sale of liquor to coloured people caused any change in the crimes committed within the State?

5. Has there been any difficulty in the application of the Law?

6. What has been the effect of Ord. 10 of 1883 in the Orange Free State?

7. Would you prefer to return to the state of affairs that prevailed before the introduction of this Law?

We give the replies in brief as follows:—

I. What has been the result of the abolition of roadside canteens?

CHIEF JUSTICE M. DE VILLIERS: "In my opinion the country canteens were a curse to the community. They demoralized not only the surrounding natives, but alas! very often also the young farmers residing in the neighbourhood, who have acquired many of their drinking habits at these places. The abolition of these canteens must be considered a public blessing."

ADV. H. G. STUART (now Judge): "The effect has been a gradual decrease of drinking habits amongst the young transport riders and young farmers living in the neighbourhood."

C. W. H. VAN DER POST, Chairman of the Volksraad: "The abolition of hotels along the roads has contributed in a large measure to temperance and thereby also increased the activity and industry of our country folk. While these hotels still existed many cases came under my observation, particularly of young people, who were unable to resist the temptation of spending a large portion of their time in these hotels, and thus they gradually became the slaves of drink, and descended to poverty and wretchedness."

J. GEO. FRASER, Member of and for 13 years Chairman of the Volksraad : "The prosperity of our farmers has thereby been re-established and the security of their flocks assured."

J. V. KLYNVELD, Member of the Volksraad : "The result has been a great blessing to the Free State and its inhabitants. In a moral as well as in a pecuniary sense it has largely benefited the population, many a family has been saved from total ruin, and in general the law has done the country a great deal of good. The complaint at that time so loudly uttered, that the law would cause great inconvenience to the travelling public, is no longer heard, and even then was almost devoid of truth, but even if there had been any truth in it, and even if travellers had to suffer some inconvenience,—even then, the gain to the country as well as to its backbone, our farmers and their sons, has been so vast and mighty, that the discomfort of travellers is as nothing to it."

J. P. VAN ZYL, Inspector of Chests, and for 12 years Magistrate of Kroonstad : "Never has there been anything enacted more salutary for the rising generation and for the coloured classes than the abolition of the country hotels (or rather canteens)."

A. M. BAUMANN, Magistrate of Hoopstad : "In consequence of the abolition of country hotels young people of neighbouring farms are no longer tempted to spend their time there, but use such time in cultivating their farms."

D. DE KOCK, Magistrate of Boshof : "The closing of country canteens has worked well and cannot be too strongly recommended."

A. B. ROBERTS, Acting Magistrate of Bloemfontein, and for 15 years Magistrate of Fauresmith : "The closing of country canteens has proved a blessing to country farmers, as well as for their servants. The wonderful diminution of complaints *re* masters and servants has already amply justified the prohibition of the sale of liquor outside of towns."

J. C. COLINS, Landdrost of Winburg : "Most salutary for repressing drunkenness."

REV. C. FRASER, Philippolis : "It is impossible to estimate the good results of the closing of country canteens too highly. Under the name of hotels they were almost without exception nothing better than canteens, which were avoided by sober-minded people. They were the nurseries of drunkenness

and the hiding places of goods stolen from our farmers, who in this district are grateful to a man that these places have been done away with."

REV. J. T. MARQUARD, Winburg: "The abolition of country canteens has had the most blessed results. Our farmers are constantly testifying their high appreciation of the effects brought about by the removal of these canteens."

REV. G. R. KEET, Wepener: "These country canteens were nothing but a pest in the midst of our congregations, and a cause of continual sorrow to the best of our ministers. They were known as 'Temples of intemperance,' and since 1877 we find them continually mentioned in the Minutes of the Synod, which has for several years petitioned the Volksraad for their removal. After the passing of the new Ordinance we find the following resolution entered:— 'Resolved, whereas it appears from the reports laid before the Synod that drunkenness has greatly diminished owing to the working of the new law regulating the sale of strong drink, therefore this Synod forwards a memorial to the Hon. Volksraad to testify thereto and urgently to request that body to continue and enforce the present Liquor Law.' "

A. J. WOLHUTER, Landdrost of Bethulie: "The effects of the abolition of wayside hotels and canteens have been extremely salutary and have been the cause of financial and moral improvement both in prosperity and morality of many families, in consequence of the removal of temptations for husbands and brothers, who when visiting the shops made us of the canteens usually attached thereto."

COLIN J. FRASER, Landdrost of Wepener: "The abolition of hotels on the public roads has had the effect: (a) That the Free State is a sober country where peace and safety is secured to every citizen or inhabitant, and to the farmer in particular. (b) That great crimes are almost unknown and misdemeanours generally have been reduced."

II. Is the prohibition of the sale of liquor to coloured persons a success?

CHIEF JUSTICE M. DE VILLIERS: "The Law prohibiting the sale of liquor to the coloured classes must be considered a pronounced success."

JUDGE STUART: "Notwithstanding the smuggling carried on by unscrupulous men who are entrusted with licences, prohibition has most certainly proved a success, and if

drunkenness amongst the coloured classes has not entirely ceased it has certainly been noticeably diminished."

C. W. H. VAN DER POST: "The refusal of drink to the coloured classes has had a very good effect. As a rule they are now much better in their service and far more trustworthy."

J. GEO. FRASER: "Yes, and the coloured people acknowledge its benefit themselves."

J. V. KLYNVELD: "Without doubt a success and a great success. Just a trip across our Southern borders will convince any one of the great difference there is between the Colonial native who can obtain drink freely, and the Free State native who cannot do so."

LANDDROST OF HOOPSTAD: "It is an undoubted fact that our Liquor Law is a great success with reference to the coloured classes. Formerly the citizens complained bitterly that their coloured servants were usually unfit for work. The coloured people used to change whatever they had for drink, whereas now they become possessed of cattle for which they have worked."

LANDDROST OF WINBURG: "Yes, certainly and generally. Free trade in drink is for coloured people certain destruction."

LANDDROST OF BETHULIE: "The prohibition of the sale of liquor to natives has been a thorough success. It is now a rare sight to see drunken Kaffirs lying about."

III. What influence has this prohibition had on the labour question?

CHIEF JUSTICE M. DE VILLIERS: "The complaints of farmers in the neighbourhood of these roadside canteens before this Law was enacted was always that they were continually deprived of the services of their people by the condition to which they were reduced by their numerous drinking parties. This also caused frequent robberies."

JUDGE STUART: "A most salutary influence."

J. GEO. FRASER: "Rather favourable than otherwise."

J. V. KLYNVELD: "Without doubt the quality of the labouring classes in this State has vastly improved since the question of the sale of liquor to the coloured classes has been settled. Before Ord. 10 was introduced a farmer could not send his wagon or cart to the village or even to any distant farm in charge of a coloured person without grave fears for its safety. . . . Now all this is changed for the better,—wagon loads of

produce, and troops of cattle and sheep may now be entrusted to the care of a native."

LANDDROST OF HOOPSTAD : "Now that coloured persons cannot any longer obtain strong drink, a master can send his servant away without any fear that he will neglect all the goods he is entrusted with."

J. G. BRINK, for 15 years Assist. Landdrost of Jagersfontein : "The extraordinary efforts made some 14 or 15 years ago to obtain labourers for the Mines, although they were not then so much in demand as now, is still fresh in my recollection. At present we have no lack of Kaffirs, nor have we any difficulty in obtaining coloured people to labour here."

LANDDROST OF WINBURG : "Most salutary."

LANDDROST OF WEPENER : "As the Kaffirs are now forced abstainers, the masters have seldom any trouble with a drunken servant. Hence his workmen are more trustworthy and faithful to their master. Furthermore it is a pleasure for the coloured people to hire themselves out, because their wages tend to their own profit and not to enrich the liquor seller."

IV. Has the abolition of outside canteens and the prohibition of the sale of liquor to coloured people brought about any change in the crimes committed within the State?

CHIEF JUSTICE M. DE VILLIERS : "The general impression produced on me is, that the result of the law has been in the direction of a diminution of crime."

JUDGE STUART : "Speaking as one of extended experience I can say that crimes of violence, and even robberies and thefts, all largely resulting from drink, have almost entirely ceased in this State; those that do take place are usually caused by the abuse of beer amongst the Kaffirs. Roughly estimated, I may say that crime as existent before the promulgation of the Liquor Law has diminished by 50 or 60 per cent."

C. W. H. VAN DER POST : "The abolition of country hotels and the prohibition of the sale of drink to the coloured classes are, in my opinion, the chief causes of the evident and important diminution of crime in this State."

J. GEO. FRASER : "Crime has greatly decreased since country licences were disallowed. More than enough to make good any loss caused to the revenue of the State."

J. V. KLYNVELD : "A great change for the better. The Courts of Justice give evidence of the fact. I have moreover

noticed that even civil actions have in a great measure ceased since Ord. 10 came into operation. Doubtless many causes of quarrels were removed when the country hotels were closed."

J. P. VAN ZYL: "Most assuredly it is the case, and I speak of an experience of nearly 16 years as Landdrost's Clerk and Landdrost."

LANDDROST OF HOOPSTAD: "Crimes have certainly decreased. Formerly the prisons were much fuller than now, and there is now hardly one-fourth the number of prisoners that there was before the Liquor Law."

LANDDROST OF BOSHOF: "The closing of country canteens and prohibition to coloured classes have certainly caused a considerable diminution of crime in this State."

LANDDROST OF WEPENER: "The closing of country hotels, etc., and prohibition of liquor traffic with regard to the coloured classes have certainly made a decided difference for the better in the crime of this Republic."

V. Was there any difficulty in the introduction of the Law?

CHIEF JUSTICE M. DE VILLIERS: "I know of no difficulty experienced in the application of this Law."

JUDGE STUART: "No difficulty with the consumers, but objections were made and always will be on the part of the sellers."

J. GEO FRASER: "No difficulty in the introduction of the Law, where its enactments were enforced."

J. V. KLYNVELD: "No difficulty as far as I can recollect. On the contrary, it appeared that white as well as coloured people accepted the Law with thankfulness and as a great blessing and relief. Murmurings were heard from interested parties; even our judges feared to apply the Law in all its strictness, but everything went smoothly."

INSPECTOR J. VAN ZYL: "There was no difficulty whatever."

LANDDROST OF BOSHOF: "Little or no trouble."

ACTG. LANDDROST OF BLOEMFONTEIN: "Besides the difficulty of entirely repressing smuggling and illegal selling, no trouble was experienced in the application of the Law."

REV. FRASER: "No difficulty whatever was experienced in the introduction of the Law. As could be expected, the keepers of the country hotels got up an agitation, but as the

Hon. Volksraad gave no heed to their continual petitions, the Law had soon an unhindered beneficial course."

W. VAN DER POST: "No difficulty as far as I know."

LANDDROST OF BETHULIE: "I am convinced that should it be proposed to re-establish the sale of liquor along the roadside and in the country such a proposal would meet great opposition, even from those who were formerly opposed to the Law."

VI. What has been the effect of Ord. 10 of 1883 upon the Orange Free State?

JUDGE STUART: "General sobriety and improvement in the general drinking habits; greater safety in regard to person and property."

J. GEO. FRASER: "The operation of Ord. 10 of 1883 is universally acknowledged to have been the salvation of the State."

J. V. KLYNVELD: "To sum up, the Law has both morally and temporally improved the population, white as well as coloured, and saved many from threatened ruin and misery. It has in a palpable manner advanced lawful commerce and industry, chiefly during the dark days of 1885 and 1886. It has greatly improved the quality and surety of the native labour. It has largely contributed to the safety of the persons and property of the inhabitants of this State, by considerably reducing crime, and has saved a very large number of those who were doomed to continue keeping country hotels and who through that business were being demoralized as well as their victims."

LANDDROST OF BOSHOF: "The general working of Ord. 10 of 1883 has been very good in the Orange Free State."

ASSISTANT LANDDROST OF JAGERSFONTEIN: "The general effect has been a great blessing in many respects. It has reduced crime, has made our coloured people better and more fit for their work, and has undoubtedly raised the prestige of the Orange Free State, as one of the best governed countries in South Africa."

REV. FRASER: "The Liquor Law has had a most beneficial influence in this district (Philippolis) and on the country in general, and I am convinced that there are very few, if any, who would wish the previous condition of things back again".

REV. MARQUARD: "The general effect has been most beneficial. The most powerful proof that I can adduce in

favour of Ord. 10 of 1883 is the increasing popularity of an enactment which at its introduction was the subject of very severe and unfavourable criticism. Our judges, magistrates, and ministers continue to testify most distinctly in favour of said Ordinance. Any endeavour to repeal it would arouse determined opposition not only from the majority of the people in general, but especially on the part of those whose position gives them the best opportunity of testing the true value of Ordinance No. 10.

W. VAN DER POST: "The general effect of Ord. 10 of 1883 upon the Orange Free State has been most beneficial, both morally and socially as far as I know. Crime has been very considerably reduced, the difficulty of the labour question has been largely removed, and the great benefit derived by the State far outweighs more than double the trifling inconvenience experienced here and there by the travelling public."

LANDDROST OF WEPENER: "Ord. 10 of 1883 has in *every* respect had a blessed result for this land. Drunkenness amongst the white population has decreased. This Ordinance has been the cause of many a fallen drunkard becoming a sober man. . . . On the coloured classes it has had an indescribably useful, good, and glorious result. While the farmer did not dare to leave his farm before 1883 . . . he may do so now with safety, and can trust his servants."

VII. Would you prefer to return to the state of affairs that prevailed before the introduction of this Law?

To this all the above-named gentlemen replied emphatically "No," and each one added something to it, such as:—"No inhabitant desires it," "It will be a fatal day for the Orange Free State when this Law is repealed," "It would not be permitted," "I would do all in my power to prevent it."

W. W. POULTNEY, who is Registrar of the Supreme Court of the Orange Free State, and has abundant opportunity of watching the working of the Liquor Law, writes: "Before the passing of Ord. 10 of 1883, country hotels were allowed along the public road, but in no cases less than 12 miles apart. Those who investigated the matter found that inhabitants of the country both white and coloured became enslaved to the abuse of strong drink and in consequence became sadly demoralised. Crimes were on the increase; and in some places the prisons were full to overflowing. The Temperance

party and the ministers of religion combined in the struggle against the drink traffic, with the result that the above Law with its limitations was adopted by the Legislature, and the 31st December, 1883, saw the last country hotel in the land abolished. At the time the Law was passed strong opposition was offered by some of the best men of the land, on the ground that it would be unworkable, and would do more harm than good. Amongst the number of its opponents were ex-President Reitz and President Steyn, at that time Judge. To-day they have all acknowledged that they were wrong, and that this Law is one of the best that has ever been promulgated in this State. Crime if not altogether has been reduced by three-fourths. Formerly several of the prisons in the border villages were so overcrowded that the prisoners had to be removed to the inland prisons; now, on the contrary, it happens not unfrequently that these border prisons are quite empty. Thus it was at Ficksburg on the occasion of my last visit, and the gaoler told me that he would be obliged to look out for some other occupation. Our Circuit Court found that some years ago there were only in three out of eight villages criminal cases to decide, and in July of 1896 only in four out of nine villages. Whereas in 1883, before the Liquor Law came into operation, there were about 30 cases in one of these four villages, where there were only four in July last. About six years ago an attempt was made to get this law altered in favour of hotels along the main road and at Railway Stations. In the discussion in the Volksraad all the members agreed that the law was good, and on coming to the vote the motion was rejected by 40 to 12 votes."

APPENDIX.

On a former occasion similar questions were put to the judges of the Orange Free State. The following are the replies received from some:—

CHIEF JUSTICE M. DE VILLIERS: "I am very decidedly of opinion that the repeal of our Liquor Law would be a calamity to this land. If you compare the conditions of our streets with those of the villages in the Cape Colony, where one has to prevent women and children from passing canteens on account of the scenes of drunkenness, then there is no doubt that public morality suffers greatly by the sale of drink to the coloured classes. In my opinion the occasion

for drunkenness on the part of natives, and consequently of robbery and annoyance for the farmers, will not be removed unless the sale of drink to coloured persons along the road is prohibited. I can see no reason why those who are so attached to drink that they cannot get on without it, cannot take a sufficient quantity with them to provide themselves therewith along the road. As Judge in Circuit I come in constant contact with the farmers, and their unanimous testimony has always been in favour of the excellent effect of the present Liquor Law, chiefly with reference to theft of skins and wool, etc. Any convenience in obtaining liquor would in my opinion undoubtedly give rise to an increase of the expenses of the State for police, prisons, etc."

PRESIDENT STEYN (at that time Judge): "I am of opinion that Ord. 10, 1883, has done good, chiefly in reducing crime, and that it would be an occasion for regret if it were repealed, as no one would wish the former state of things back again."

JUDGE GREGOROWSKI. "The Law has worked successfully in repressing crime, chiefly such crimes as murder, culpable homicide, assault, and disturbing the public peace." After his appointment as Judge of our [S.A.R.] Republic he wrote as follows:—"I am glad that the Law-givers of this State have proposed to curb the drink traffic and so to follow the splendid example set for years past by the Volksraad of the sister Republic. In 1883 Ord. 10 became law in the Orange Free State. It did away entirely with country canteens, the sale of drink to the coloured classes, and introduced stringent measures for suppressing drunkenness. Since that time the Liquor Law has remained unaltered. The immediate result of the introduction of the provisions of this Law was a great loss of revenue to the State by the decreased number of licenses taken out. But it was soon discovered that the loss was not to be deplored, for it was amply repaid by the reduced expenses for prisons and police. The general public voice and the opinion of the people has so strongly approved this Law that there is not the least chance of introducing the old abuses again. The opponents of the law have become convinced of its excellent working and are now reckoned amongst its supporters. I am convinced that if such a law were once tried here, we should never think of reverting to the old order of things."

